

SUBCOMMITTEE: SUBCOMMITTEE #4

HOUSE JOINT RESOLUTION NO. 676

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Privileges and Elections

on _____)

(Patron Prior to Substitute--Delegate Filler-Corn)

Proposing an amendment to Section 6 of Article X of the Constitution of Virginia, relating to personal property tax exemption; motor vehicle owned by a disabled veteran.

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 6 of Article X of the Constitution of Virginia as follows:

ARTICLE X

TAXATION AND FINANCE

Section 6. Exempt property.

(a) Except as otherwise provided in this Constitution, the following property and no other shall be exempt from taxation, State and local, including inheritance taxes:

(1) Property owned directly or indirectly by the Commonwealth or any political subdivision thereof, and obligations of the Commonwealth or any political subdivision thereof exempt by law.

(2) Real estate and personal property owned and exclusively occupied or used by churches or religious bodies for religious worship or for the residences of their ministers.

(3) Private or public burying grounds or cemeteries, provided the same are not operated for profit.

(4) Property owned by public libraries or by institutions of learning not conducted for profit, so long as such property is primarily used for literary, scientific, or educational purposes or purposes

26 incidental thereto. This provision may also apply to leasehold interests in such property as may be
27 provided by general law.

28 (5) Intangible personal property, or any class or classes thereof, as may be exempted in whole or
29 in part by general law.

30 (6) Property used by its owner for religious, charitable, patriotic, historical, benevolent, cultural,
31 or public park and playground purposes, as may be provided by classification or designation by an
32 ordinance adopted by the local governing body and subject to such restrictions and conditions as provided
33 by general law.

34 (7) Land subject to a perpetual easement permitting inundation by water as may be exempted in
35 whole or in part by general law.

36 (b) The General Assembly may by general law authorize the governing body of any county, city,
37 town, or regional government to provide for the exemption from local property taxation, or a portion
38 thereof, within such restrictions and upon such conditions as may be prescribed, of real estate and personal
39 property designed for continuous habitation owned by, and occupied as the sole dwelling of, persons not
40 less than sixty-five years of age or persons permanently and totally disabled as established by general law.
41 A local governing body may be authorized to establish either income or financial worth limitations, or
42 both, in order to qualify for such relief.

43 (c) Except as to property of the Commonwealth, the General Assembly by general law may restrict
44 or condition, in whole or in part, but not extend, any or all of the above exemptions.

45 (d) The General Assembly may define as a separate subject of taxation any property, including
46 real or personal property, equipment, facilities, or devices, used primarily for the purpose of abating or
47 preventing pollution of the atmosphere or waters of the Commonwealth or for the purpose of transferring
48 or storing solar energy, and by general law may allow the governing body of any county, city, town, or
49 regional government to exempt or partially exempt such property from taxation, or by general law may
50 directly exempt or partially exempt such property from taxation.

51 (e) The General Assembly may define as a separate subject of taxation household goods, personal
52 effects and tangible farm property and products, and by general law may allow the governing body of any

53 county, city, town, or regional government to exempt or partially exempt such property from taxation, or
54 by general law may directly exempt or partially exempt such property from taxation.

55 (f) Exemptions of property from taxation as established or authorized hereby shall be strictly
56 construed; provided, however, that all property exempt from taxation on the effective date of this section
57 shall continue to be exempt until otherwise provided by the General Assembly as herein set forth.

58 (g) The General Assembly may by general law authorize any county, city, town, or regional
59 government to impose a service charge upon the owners of a class or classes of exempt property for
60 services provided by such governments.

61 (h) The General Assembly may by general law authorize the governing body of any county, city,
62 town, or regional government to provide for a partial exemption from local real property taxation, within
63 such restrictions and upon such conditions as may be prescribed, (i) of real estate whose improvements,
64 by virtue of age and use, have undergone substantial renovation, rehabilitation or replacement or (ii) of
65 real estate with new structures and improvements in conservation, redevelopment, or rehabilitation areas.

66 (i) The General Assembly may by general law allow the governing body of any county, city, or
67 town to exempt or partially exempt from taxation any generating equipment installed after December
68 thirty-one, nineteen hundred seventy-four, for the purpose of converting from oil or natural gas to coal or
69 to wood, wood bark, wood residue, or to any other alternate energy source for manufacturing, and any co-
70 generation equipment installed since such date for use in manufacturing.

71 (j) The General Assembly may by general law allow the governing body of any county, city, or
72 town to have the option to exempt or partially exempt from taxation any business, occupational or
73 professional license or any merchants' capital, or both.

74 (k) The General Assembly may by general law authorize the governing body of any county, city,
75 or town to provide for a partial exemption from local real property taxation, within such restrictions and
76 upon such conditions as may be prescribed, of improved real estate subject to recurrent flooding upon
77 which flooding abatement, mitigation, or resiliency efforts have been undertaken.

78 (l) The General Assembly may by general law authorize the governing body of any county, city,
79 or town to exempt from taxation one motor vehicle owned and used primarily by or for a veteran of the

80 armed forces of the United States or the Virginia National Guard who has been rated by the United States
81 Department of Veterans Affairs or its successor agency pursuant to federal law with a one hundred percent
82 service-connected, permanent, and total disability. For purposes of this subsection, the term "motor
83 vehicle" shall include only automobiles and pickup trucks. Any such motor vehicle owned by a married
84 person may qualify if either spouse is a veteran who is one hundred percent disabled pursuant to this
85 subsection. This exemption shall be applicable on the date the motor vehicle is acquired or the effective
86 date of this subsection, whichever is later, but shall not be applicable for any period of time prior to the
87 effective date.

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